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15 November 07

Patent application 09/892,351 Mark Dawson.

Phone interview of 16 Oct 07 with examiner Brian Q. Le
Claims discussed: 53, 58 and non elected 59-79 and 81-85.

- 1. Contrary to the examiners 22. Oct 07 record of a phone interview of 16 October 07. I did not have any questions concerning amendment procedure.
- 2. The examiner was busy and not having much time. I spoken to him by phone on 3 dates pursuing his attention.
- 3. I read out to him the amendment for claim 53, this included the inclusion of 'broad spectrum' suggested by him in item 1 on page 2 his report of 31 July 07, regarding (0009) of my application. He said he could make no comment.
- 4. He explained that my continued amendments to filter values are not allowed and that I should amend them back to the values as filed.
- 5. He continued to suggest that I amend the specification and claims back as 13 Sept 05 when the application was accepted.

I preferred to continue with an actual re-examination with amended claims as has been requested and pointed out that the specification from then also included amended filter values.

6. I informed him that some questions of his 31 July report were repeats of the prior action of 3 April 07 and that these points had already been covered in my reply sent 11 May 07. We discussed page 5 of his report, regarding claim 58, as an example of such a repeat, where also the language in the action is unintelligible.
He explained that he only meant that "images, being analyphic record..."

of claim 58 was odd. I planned an amendment to omit it.

- 7. That non elected claims 59-79 and 81-85 are not allowed as dependent claims was discussed. I planned to remove them.
- 8. I informed him that as his office action suggested a fundamental misunderstanding of the applications substance, I would post examples of the 3-D image on an internet page for him to view and that I would mail 3-D viewers that enable 3-D viewing. This plan was accepted. I also checked with USPTO legal advice, who confirmed this to be allowable.
- An understanding was reached that I would not amend back to the application that was prior
 accepted but rather that I would respond to his report, cover all points in full and make the required
 amendments.

M Dawson.